

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

BAHIA AMAWI

Plaintiff,

vs.

**PFLUGERVILLE INDEPENDENT SCHOOL
DISTRICT; and**

**KEN PAXTON, in his official capacity as
Attorney General of Texas,**

Defendants.

Case No. 1:18-cv-01091-RP

DECLARATION OF JUSTIN SADOWSKY

I, Justin Sadowsky, swear under the penalty of perjury that the following facts are true to the best of my knowledge, information, and belief:

1. I have personal knowledge of the facts set forth below. If I were called as a witness, I could competently testify about what I have written in this declaration.

2. I am currently a member of good standing of the District of Columbia and Virginia bar.

3. I graduated from Columbia Law School in 2005 as a James Kent scholar and clerked for a federal appeals court judge until the fall of 2006. From Fall 2006 to Spring 2014, with the exception of a nine-month period of nonemployment in 2009-10, I worked for law firms in the District of Columbia.

4. From Spring 2014 until February 2019, I worked full time as of counsel to law firms throughout the country. From 2017 until February 2019, I also worked on both a volunteer and paid basis with the ACLU's National Prison Project

5. Since February 2019, I have worked full time as a trial attorney with the Council on American-Islamic Relations Foundation, Inc. My litigation work is on behalf of CAIR Legal Defense Fund. I continue to provide limited Of Counsel services to other law firms during my spare time.

6. I thus had a total of nearly 13 years of legal experience when I started this case. At this point, I have a total of over 14 years of legal experience.

7. I am an attorney for Bahia Amawi who has worked on this case. I was an attorney of record before the Fifth Circuit but have not entered an appearance in the district court. This is immaterial. *See Ace Am. Ins. Co. v. Walters*, 12-cv-442, 2014 WL 523742, at *3 (S.D. Tex. Feb. 7, 2014) (collecting cases).

8. During the course of CAIR Legal Defense Fund's representation of Bahia Amawi on this matter, I have recorded the time spent performing legal services in this case. I entered in a description of the legal services together with the precise time, to .1 of an hour, spent performing such legal services on a daily basis. I am only seeking fees for major projects and not minor administrative or coordination tasks that took less than one half of an hour on any given day. A true and correct copy of the spreadsheet recording that time is attached as Exhibit A.

9. The total amount of hours I expended in this action is 186.4 hours. Of that time, 53.0 hours were spent on litigating this case in federal district court prior to May 7, 2019, the date Texas amended the Anti-BDS law at issue in this case, 20.1 hours were spent

litigating this case in federal district court after that date (excluding time spent preparing the motion for fees), 81.2 hours were spent litigating this case on appeal in the Fifth Circuit, and 32.1 were hours spent working so far on the motion for fees.

10. I certify that the hours listed were actually expended on the topics stated in my time sheet.

11. I certify that the hours expended were reasonable.

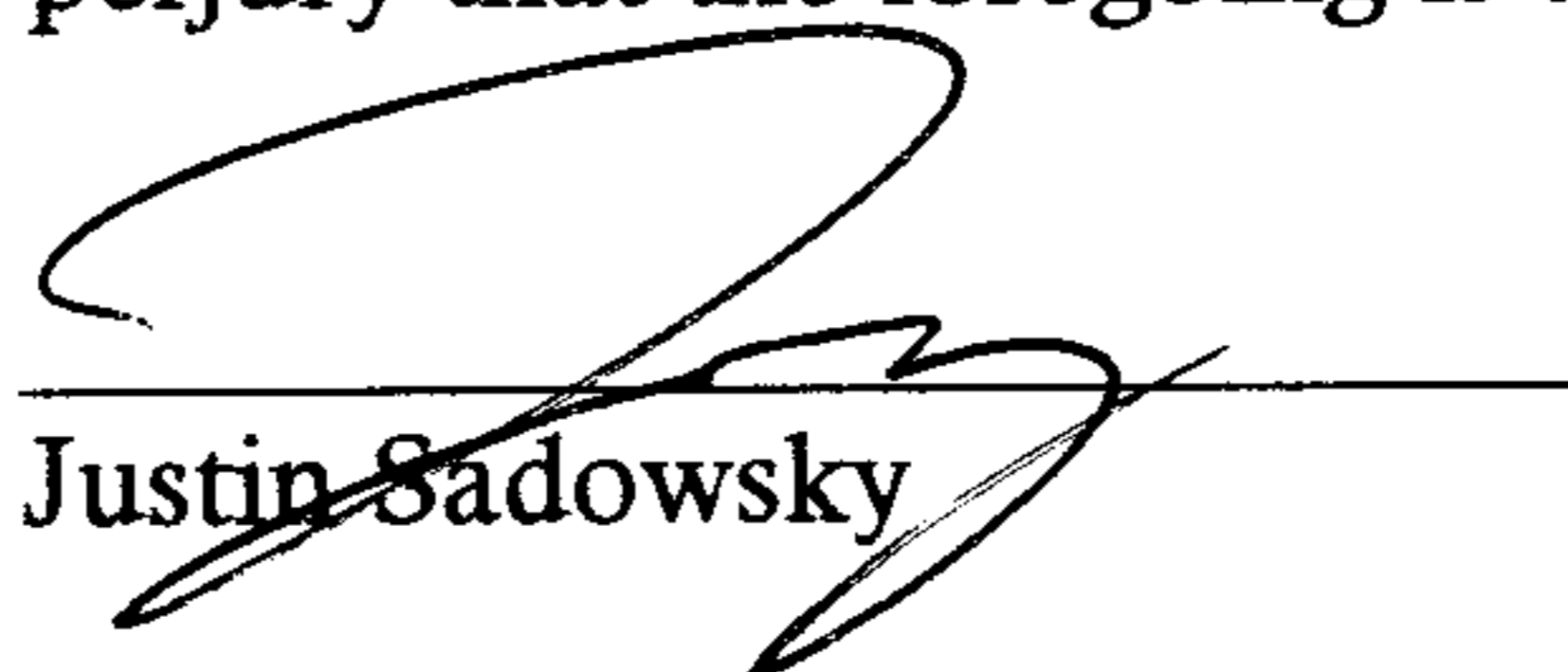
12. CAIR Legal Defense Fund's fee agreement with Amawi is in the form of a contingency agreement. No hourly rate for attorney work is listed. CAIR attorneys do not typically charge an hourly fee in their customary business, as CAIR Legal Defense Fund is a civil rights nonprofit.

13. The current U.S. Attorneys Office *Laffey* matrix for the District of Columbia uses a \$483 hourly rate for an attorney with my experience for 2018, a \$491 hourly rate for an attorney with my experience in 2019, and a \$510 hourly rate for an attorney with my experience in 2020. See <https://www.justice.gov/usao-dc/page/file/1189846/download>.

14. I certify that a rate of \$550 per hour for my work is reasonable.

15. I have compiled the timesheets of myself, Lena Masri, Gadeir Abbas, and Carolyn Homer, John Floyd, and Chris Choate into a single timesheet as required by local rules. Based on their timesheets and affidavits, I certify the hours listed were actually expended on the topics stated in the compiled timesheet. Also based on the timesheets and affidavits, I certify that the hours expended were reasonable.

16. I swear under the penalty of perjury that the foregoing is true and correct.


Justin Sadowsky

7/6/2020
Date

Exhibit A - Sadowsky Timesheet

Date	Hours	Description
		Analyzed briefs, caselaw, and motion to dismiss to come up with strategy for
27-Feb	7.8	MTD opposition (6.1); outlined opposition (1.7)
28-Feb	8.5	Began drafting Motion to Dismiss (8.5)
1-Mar	6.7	Completed first draft of Motion to Dismiss (1.1); edited Motion (5.6)
4-Mar	4.8	Edited Motion (4.8)
5-Mar	3.3	Assisted in preparation for filing
12-Mar	1.1	Reviewed and analyzed AG MTD Reply
		Prepared outline of issues and binders for oral argument (3.5); reviewed and
20-Mar	6.6	drafted response to Motion to Continue (3.1)
27-Mar	4.3	Prepared for moot for hearing (3.5); team moot-call (.8)
25-Apr	1	Reviewed Order granting and analyzed potential next steps
29-Apr	2.4	Reviewed Motion to Stay pending appeal and drafted opposition
30-Apr	0.1	Reviewed Order on Stay Motion (.1)
1-May	0.3	Reviewed edits on Motion to Stay from co-counsel (.3)
2-May	1.5	Analyzed legal grounds for Permanent Injunction without further hearing
		Drafted and edited Motion for Permanent Injunction (3.3); edited motion to
3-May	4.1	stay (.8)
7-May	0.5	Filed Motion for a Permanent Injunction
8-May	2.1	Reviewed MTD and drafted initial outline of response
19-May	6.5	Drafted CA Opposition to Motion to Stay
23-May	7.4	Began drafting MTD Opposition
24-May	7.2	Finalized first draft of MTD Opp. (3.1); edited MTD Opp. (4.1)
2-Jun	2	Edited MTD Opp.
3-Jun	1.4	Edited and filed MTD Opp.
8-Sep	4.8	Reviewed and analyzed Appellants' briefs
9-Sep	4.3	Researched and drafted DJ motion
11-Nov	7.1	Outlined Appellee's Brief
12-Nov	8.8	Began drafting Appellee's Brief
13-Nov	8.2	Continued drafting Appellee's Brief
14-Nov	8.4	Continued drafting Appellee's Brief
15-Nov	9.1	Edited appellee's brief
16-Nov	3.5	Edited appellee's brief
20-Nov	2.4	Edited appellee's brief
25-Nov	4.5	Edited appellee's brief (3); finalized admission into CA5 (1.5)
26-Nov	1.2	Assisted in filing appellee's brief
12-Dec	8	Reviewed all amicus briefs filed in case
1/14/2020	1.2	Reviewed FRAP 28j, Jordahl, and Chambers
1/16/2020	1.1	Listened to oral argument for Arkansas Times
1/17/2020	2.1	Discussed with co-counsel 28j response (.3); drafted proposed response (1.8)
24-Jun	0.9	Put together and filed motion for fees extension
25-Jun	8	Put together draft affidavits for team (3.5); researched and outline brief (4.5)
26-Jun	6.6	Began drafting Fees brief
		Continued drafting fees brief (4.2); began compiling master timesheet as
30-Jun	5.7	required by local rule (1.5)

1-Jul	3.4 Edited motion (2.8); edited affidavits (0.6)
2-Jul	3.5 Continued compiling master timesheet (1.4); edited motion (2.1)
6-Jul	4 Prepared all documents for filing

186.4

Exhibit B - Compile CAIR Attorney Hours

Project	Timekeeper	Date	Hours	Description
COMPLAINT				Research standing issues regarding HB 89; analyze HB 89 and
	Gadeir Abbas	11/5/2018	6.5	legislative history, public statements of lawmakers
	Lena Masri	11/5/2018	1.5	Legal strategy to discuss claims and procedural options
	Gadeir Abbas	11/5/2018	1.8	Review school district contract to prep for and conduct client
	Gadeir Abbas	11/20/2018	0.8	Research standing issues regarding anti-bds law
	Gadeir Abbas	11/21/2018	3.5	Review and edit draft of complaint
	Gadeir Abbas	12/4/2018	0.8	prepare for and conduct client call; confirm facts for the
				share draft complaint with client and review complaint with
	Gadeir Abbas	12/10/2018	1.3	client to confirm facts
				coordinate with local counsel to prepare for the filing of the
	Gadeir Abbas	12/10/2018	0.8	complaint and pro hacs
	Lena Masri	12/12/2018	1	Review draft complaint; discussion with team
	Carolyn Homer	12/12/2018	8.7	Review factual materials and continued draft complaint
	Carolyn Homer	12/13/2018	10.1	Continued draft complaint
	Gadeir Abbas	12/14/2018	1.3	Review draft of complaint
	Lena Masri	12/15/2018	1	Formulated strategy re complaint
	Gadeir Abbas	12/16/2018	8.8	travel to and from Austin for client meeting; conduct client
	Carolyn Homer	12/16/2018	0.7	Finalize and file complaint
	Gadeir Abbas	12/18/2018	0.5	prepare for and conduct call with Pluecker counsel
	Gadeir Abbas	12/18/2018	0.5	review Pluecker complaint filing
PHV ADMISSIONS				review and complete Pro Hacs; make arrangements with team
	Gadeir Abbas	12/18/2018	0.3	to get them filed
PRELIMINARY INJUNCTION	Carolyn Homer	12/18/2018	8.5	Prepare draft preliminary injunction motion
	Lena Masri	12/19/2018	0.8	Review draft PI motion; provide feedback
				Prepare draft preliminary injunction motion; prepare
	Carolyn Homer	12/19/2018	9	declarations in support of preliminary injunction motion
				review and edit preliminary injunction motion and accompanying
	Gadeir Abbas	12/20/2018	4.5	declarations
				Revise, finalize and file preliminary injunction papers; initiate
	Carolyn Homer	12/21/2018	9.3	waiver and scheduling communications with counsel for the
				call with AG counsel re waiving service and coordinating with
SERVICE	Gadeir Abbas	12/21/2018	0.3	team to provide filled-out waivers to AG
	Gadeir Abbas	12/21/2018	0.5	preparation for and call with Pflugerville counsel

PRELIMINARY INJUNCTION REPLY	Gadeir Abbas	1/4/2019	0.8 review Pluecker PI filing
CONSOLIDATION	Gadeir Abbas	1/7/2019	1.3 review AG's consolidation motion and analyze the brief review Pflugerville counsel correspondence re potential stipulation, draft and finalize conditional stipulation of
STIPULATION	Gadeir Abbas	1/7/2019	2.5 dismissal, draft email to Pflugerville counsel explaining Amawi's Worked with co-counsel and G. Abbas in preparing and filing
	Carolyn Homer	1/8/2019	1.3 conditional stipulation with Pflugerville Independent School review Court's Dkt. 20 order re scheduling issues and AG's email
PRELIMINARY INJUNCTION	Gadeir Abbas	1/9/2019	0.5 in response to it; discuss with team and respond to AG
	Gadeir Abbas	1/9/2019	0.5 prepare for and conduct call with case party attorneys
	Gadeir Abbas	1/8/2019	0.8 Prepare and finalize opposition to extension motion
PRELIMINARY INJUNCTION REPLY	Gadeir Abbas	1/15/2019	2.3 review and analyze AG response to PI; discuss with team;
	Carolyn Homer	1/22/2019	8.4 Prepare outline for reply in support of preliminary injunction
	Gadeir Abbas	1/23/2019	0.8 review State of Arizona amicus filing
	Carolyn Homer	1/24/2019	9.7 Prepare draft of reply in support of preliminary injunction Prepare supporting declaration and revise reply in support of
	Carolyn Homer	1/25/2019	4.1 preliminary injunction
	Gadeir Abbas	1/29/2019	9.5 revise and edit PI reply
	Carolyn Homer	1/29/2019	12.2 Revise, finalize and file reply in support of preliminary
MOTION TO DISMISS OPPOSITION	Gadeir Abbas	2/20/2019	3.3 review and analyze AG's MTD Analyzed briefs, caselaw, and motion to dismiss to come up
	Justin Sadowsky	27-Feb	7.8 with strategy for MTD opposition (6.1); outlined opposition
	Justin Sadowsky	28-Feb	8.5 Began drafting Motion to Dismiss (8.5)
	Justin Sadowsky	1-Mar	6.7 Completed first draft of Motion to Dismiss (1.1); edited Motion
	Justin Sadowsky	4-Mar	4.8 Edited Motion (4.8)
	Gadeir Abbas	3/5/2019	3.5 review MTD response draft, discuss with team
	Justin Sadowsky	5-Mar	3.3 Assisted in preparation for filing
	Carolyn Homer	3/5/2019	3.3 Finalize and file opposition to Paxton's motion to dismiss
	Lena Masri	3/5/2019	1.3 Review draft MTD opp brief; provide feedback
	Justin Sadowsky	12-Mar	1.1 Reviewed and analyzed AG MTD Reply

HEARING PREPARATION	Lena Masri	3/19/2019	Hearing preparation and strategy discussion (ie, whether to
MOTION TO CONTINUE			2.5 offer testimony; evidence to admit, determining team
OPPOSITION	Justin Sadowsky	20-Mar	Prepared outline of issues and binders for oral argument (3.5);
			3.1 reviewed and drafted response to Motion to Continue (3.1)
HEARING PREPARATION	Justin Sadowsky	20-Mar	Prepared outline of issues and binders for oral argument (3.5);
	Gadeir Abbas	3/22/2019	3.5 reviewed and drafted response to Motion to Continue (3.1)
	Gadeir Abbas	3/26/2019	6.8 read through all MTD and PI briefing; make hearing notes
			0.8 call with parties' counsel re allocation of hearing time
			Study key cases--Briggs, Claiborne, Jordahl, Koontz, Rumsfeld v.
	Gadeir Abbas	3/26/2019	9.3 Fair, Arkansas Times
	Carolyn Homer	3/26/2019	0.7 Meet and confer with counsel regarding time allocation for
	Gadeir Abbas	3/27/2019	7.5 prep for and conduct moot; team discussion re hearing
	Gadeir Abbas	3/27/2019	2.8 review direct examination outline; discuss; give directions to
	Justin Sadowsky	27-Mar	4.3 Prepared for moot for hearing (3.5); team moot-call (.8)
			Prepare direct examination outline; conduct moot on legal
	Carolyn Homer	3/27/2019	7.3 arguments; travel to Texas
	Lena Masri	3/27/2019	1.5 hearing prep, mini-moot, assign team responsibilities
	Lena Masri	3/28/2019	5.5 review hearing materials, travel to Austin
	Carolyn Homer	3/28/2019	10.5 Prepare witness and other materials for hearing
	Gadeir Abbas	3/28/2019	12.3 prepare for hearing by reviewing briefs, notes, and cases; travel
			Present evidence at preliminary injunction hearing; travel back
HEARING	Carolyn Homer	3/29/2019	15.6 to Washington, D.C.
	Lena Masri	3/29/2020	10 hearing prep, attend hearing, client debrief, travel leaving
	Gadeir Abbas	3/29/2019	11.5 prepare for hearing, present argument at hearing, client
RESPONSE TO DECISION AND STAY			
MOTION	Carolyn Homer	4/25/2019	2.4 Inform client of court victory, evaluate opinion
	Gadeir Abbas	4/25/2019	1.8 review PI decision; analyze next steps
	Lena Masri	4/25/2019	0.8 review PI decision
	Justin Sadowsky	25-Apr	1 Reviewed Order granting and analyzed potential next steps
	Justin Sadowsky	29-Apr	2.4 Reviewed Motion to Stay pending appeal and drafted
	Justin Sadowsky	30-Apr	0.1 Reviewed Order on Stay Motion (.1)
	Justin Sadowsky	1-May	0.3 Reviewed edits on Motion to Stay from co-counsel (.3)
	Gadeir Abbas	5/2/2019	1.8 review and analyze TX's motion to stay
	Justin Sadowsky	2-May	1.5 Analyzed legal grounds for Permanent Injunction without

			Drafted and edited Motion for Permanent Injunction (3.3);
	Justin Sadowsky	3-May	4.1 edited motion to stay (.8)
	Justin Sadowsky	7-May	0.5 Filed Motion for a Permanent Injunction
	Gadeir Abbas	5/6/2019	0.5 Review permanent injunction draft
	Carolyn Homer	5/7/2019	0.9 Negotiate new contract and stipulated dismissal with PFISD
	Gadeir Abbas	5/8/2019	1.5 review motion to stay order and docket; assess possible next
MTD (MOOTNESS) OPP	Justin Sadowsky	8-May	2.1 Reviewed MTD and drafted initial outline of response
	Gadeir Abbas	5/8/2019	1.8 review and study Motion to Dismiss
COMPLAINT	Gadeir Abbas	5/9/2019	2.3 review and analyze D's answer to complaint
DISMISSAL OF PFISD	Carolyn Homer	5/15/2019	1.1 File notice of voluntary dismissal of PFISD
5th CIRCUIT BRIEFING (STAY)	Justin Sadowsky	19-May	6.5 Drafted CA Opposition to Motion to Stay
MTD (MOOTNESS) OPP	Justin Sadowsky	23-May	7.4 Began drafting MTD Opposition
	Justin Sadowsky	24-May	7.2 Finalized first draft of MTD Opp. (3.1); edited MTD Opp. (4.1)
5th CIRCUIT BRIEFING (STAY)	Gadeir Abbas	5/28/2019	1.3 review Fifth circuit stay order; research our options
MTD (MOOTNESS) OPP	Justin Sadowsky	2-Jun	2 Edited MTD Opp.
	Justin Sadowsky	3-Jun	1.4 Edited and filed MTD Opp.
	Lena Masri	7/23/2019	0.8 review MTD decision
	Gadeir Abbas	7/23/2019	2.5 review MTD decision; study mootness/standing issues
5th CIRCUIT BRIEFING (MERITS)	Justin Sadowsky	8-Sep	4.8 Reviewed and analyzed Appellants' briefs
	Justin Sadowsky	9-Sep	4.3 Researched and drafted DJ motion
RESPONSE TO DECISION AND STAY			
MOTION	Gadeir Abbas	10/9/2019	1.3 review draft of motion for decl. judgment
	Justin Sadowsky	11-Nov	7.1 Outlined Appellee's Brief
	Justin Sadowsky	12-Nov	8.8 Began drafting Appellee's Brief
	Justin Sadowsky	13-Nov	8.2 Continued drafting Appellee's Brief
	Justin Sadowsky	14-Nov	8.4 Continued drafting Appellee's Brief
	Justin Sadowsky	15-Nov	9.1 Edited appellee's brief
	Justin Sadowsky	16-Nov	3.5 Edited appellee's brief
	Justin Sadowsky	20-Nov	2.4 Edited appellee's brief
	Justin Sadowsky	25-Nov	4.5 Edited appellee's brief (3); finalized admission into CA5 (1.5)
	Justin Sadowsky	26-Nov	1.2 Assisted in filing appellee's brief
	Carolyn Homer	11/26/2019	4.7 Revise, finalize, and file appellate brief
	Gadeir Abbas	11/26/2019	4.3 review and edit appellee brief
	Justin Sadowsky	12-Dec	8 Reviewed all amicus briefs filed in case

5th CIRCUIT 28(j) RESPONSE	Justin Sadowsky	1/14/2020	1.2 Reviewed FRAP 28j, Jordahl, and Chambers
	Justin Sadowsky	1/16/2020	1.1 Listened to oral argument for Arkansas Times Discussed with co-counsel 28j response (.3); drafted proposed
FEES MOTIONS	Justin Sadowsky	1/17/2020	2.1 response (1.8)
	Justin Sadowsky	24-Jun	0.9 Put together and filed motion for fees extension Put together draft affidavits for team (3.5); researched and
	Justin Sadowsky	25-Jun	8 outline brief (4.5)
	Justin Sadowsky	26-Jun	6.6 Began drafting Fees brief Continued drafting fees brief (4.2); began compiling master
	Justin Sadowsky	30-Jun	5.7 timesheet as required by local rule (1.5)
	Justin Sadowsky	1-Jul	3.4 Edited motion (2.8); edited affidavits (0.6)
	Gadeir Abbas	7/1/2019	1.5 prepare documents and records for fee motion
	Justin Sadowsky	2-Jul	3.5 Continued compiling master timesheet (1.4); edited motion
	Gadeir Abbas	7/2/2019	4.3 prepare documents and records for fee motion
	Gadeir Abbas	7/6/2019	5.5 review and finalize declarations, briefs, records, etc. for fee
	Justin Sadowsky	7/6/2020	4 Prepared all documents for filing

Total by category	Hours	
COMPLAINT		51.9
PHV ADMISSIONS		0.3
PRELIMINARY INJUNCTION		
MOTION		33.9
SERVICE		0.8
STIPULATION		3.8
CONSOLIDATION		1.3
PRELIMINARY INJUNCTION REPLY		47.8
MOTION TO DISMISS OPPOSITION		43.6
MOTION TO CONTINUE		
OPPOSITION		3.1
HEARING PREP		75.3
HEARING		37.1

RESPONSE TO DECISION AND STAY	20.9
MTD (MOOTNESS) OPPOSITION	25.2
DISMISSAL OF PFISD	1.1
5th CIRCUIT BRIEFING (STAY)	7.8
5th CIRCUIT BRIEFING (MERITS)	79.3
5th CIRCUIT 28(j) RESPONSE	4.4
FEES MOTION	43.4
TOTAL	481

